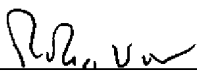


<b>TRANSMITTAL OF APPEAL BRIEF</b>			Docket No. 61135/P004CP1CP1C2/10107404
In re Application of:    Salim G. Kara			
Application No. 10/082,398-Conf. #5850	Filing Date February 25, 2002	Examiner M. L. Brooks	Group Art Unit 3629
Invention:    SYSTEM AND METHOD FOR PRINTING MULTIPLE POSTAGE INDICIA			
<b><u>TO THE COMMISSIONER OF PATENTS:</u></b>  Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed: <u>October 6, 2006</u> .  The fee for filing this Appeal Brief is <u>\$ 500.00</u> . <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity  <input type="checkbox"/> A petition for extension of time is also enclosed. The fee for the extension of time is    _____ .  <input type="checkbox"/> A check in the amount of <u>\$ 500.00</u> is enclosed.  <input type="checkbox"/> Charge the amount of the fee to Deposit Account No.    _____ . This sheet is submitted in duplicate.  <input checked="" type="checkbox"/> Payment by credit card.  <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required or credit any overpayment to Deposit Account No. <u>06-2380</u> . This sheet is submitted in duplicate.			
 _____ R. Ross Viguet Attorney Reg. No. :    42,203 FULBRIGHT & JAWORSKI L.L.P. 2200 Ross Avenue, Suite 2800 Dallas, Texas 75201-2784 (214) 855-8185		Dated: <u>December 18, 2006</u>	

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Salim G. Kara

Application No.: 10/082,398

Confirmation No.: 5850

Filed: February 25, 2002

Art Unit: 3629

For: SYSTEM AND METHOD FOR PRINTING  
MULTIPLE POSTAGE INDICIA

Examiner: M. L. Brooks

**APPEAL BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

As required under § 41.37(a), this brief is filed within one month of the Notice of Panel Decision from Pre-Appeal Brief Review, mailed in this case on November 16, 2006, and is in furtherance of the Notice of Appeal filed October 6, 2006.

The fees required under § 41.20(b)(2) are dealt with in the accompanying  
TRANSMITTAL OF APPEAL BRIEF.

This brief contains items under the following headings as required by 37 C.F.R.  
§ 41.37 and M.P.E.P. § 1206:

- |       |  |
|-------|--|
| I.    | Real Party In Interest                                   |
| II    | Related Appeals, Interferences, and Judicial Proceedings |
| III.  | Status of Claims   |
| IV.   | Status of Amendments                                     |
| V.    | Summary of Claimed Subject Matter                        |
| VI.   | Grounds of Rejection to be Reviewed on Appeal            |
| VII.  | Argument   |
| VIII. | Claims   |
| IX.   | Evidence   |
| X     | Related Proceedings                                      |

Appendix A    Claims  
Appendix B    Evidence  
Appendix C    Related Proceedings

**I.      REAL PARTY IN INTEREST**

The real party in interest for this appeal is:

Stamps.com Inc.

**II.     RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS**

There are no other appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

**III.    STATUS OF CLAIMS**

**A.      Total Number of Claims in Application**

There are 31 claims pending in application.

**B.      Current Status of Claims**

1.      **Claims canceled: 2-3, 17-18, and 26**
2.      **Claims withdrawn from consideration but not canceled: None**
3.      **Claims pending: 1, 4-16, 19-25, and 27-36**
4.      **Claims allowed: None**
5.      **Claims rejected: 1, 4-16, 19-25, and 27-36**

**C.      Claims On Appeal**

The claims on appeal are claims 1, 4-16, 19-25, and 27-36

**IV.    STATUS OF AMENDMENTS**

Appellant did not file an Amendment in response to the Office Action of July 26, 2006 (hereinafter the "final Office Action").

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

An embodiment of the invention, as recited in claim 1, provides a system comprising an envelope having a front surface and a first window providing a covered opening disposed to facilitate placing postage indicia in juxtaposition therewith to allow viewing of the postage indicia through the first window (page 12, paragraph 0067, lines 4-6, page 12, paragraph 0068, lines 2-5, and elements 2000 and 2001 of Figure 20). The system further comprising a postal item having a postage indicia affixed thereto, wherein the postage indicia is visible through the first window when the postal item is disposed in the envelope (page 12, paragraph 0067, lines 4-6, page 12, paragraph 0068, lines 1-5, page 13, paragraph 0073, lines 2-5, elements 1800 and 1801 of Figure 18, elements 1900 and 1901 of Figure 19, and elements 2103, 2101, 2113, and 2111 of Figure 21). The system further comprising software for generating the postal item and the postage indicia and for printing the postage indicia on the postal item (page 9, paragraph 0050, lines 1-3, page 11, paragraph 0064, lines 1-4, and Figure 17).

An embodiment of the invention, as recited in claim 16, provides a method of providing a mail item for posting with a mail delivery service. The method comprising generating a piece of correspondence using a computer system (page 9, paragraph 0050, lines 1-3, page 11, paragraph 0064, lines 1-4, and Figure 17). The method further comprising generating a postage indicia using the computer system (page 9, paragraph 0053, lines 1-5, page 10, paragraph 0053, lines 6-7, page 10, paragraph 0059, lines 1-3, page 11, paragraph 0063, lines 1-8, Figure 9, elements 914-922, and Figure 17 elements 1707 and 1708). The method further comprising printing the postage indicia and the piece of correspondence using the computer, wherein the postage indicia and the piece of correspondence are printed simultaneously (page 11, paragraph 0064, lines 1-4, page 12, paragraph 0068, lines 1-5, elements 1800 and 1801 of Figure 18, elements 1900 and 1901 of Figure 19, and elements 2103, 2101, 2113, and 2111 of Figure 21). The method further comprising inserting the piece of correspondence into an envelope such that the postage indicia is disposed in juxtaposition with a window of the envelope (page 12, paragraph 0067, lines 4-6, page 12, paragraph 0068, lines 1-5, page 13, paragraph 0073, lines 2-5).

An embodiment of the invention, as recited in claim 25, provides a mail item comprising a piece of correspondence having a postage indicia thereon, wherein the piece of

correspondence and the postage indicia are printed by a computer system operable under control of software for generating documents and postage indicia (page 9, paragraph 0050, lines 1-3, page 11, paragraph 0063, lines 1-8, page 11, paragraph 0064, lines 1-4, page 13, paragraph 0073, lines 2-5, elements 1800 and 1801 of Figure 18, elements 1900 and 1901 of Figure 19, and elements 2100, 2101, 2113, and 2111 of Figure 21). The mail item further comprising an envelope having a first window portion, wherein the piece of correspondence is disposed to place the postage indicia in juxtaposition with the first window (page 12, paragraph 0067, lines 4-6, page 12, paragraph 0068, lines 2-5, and elements 2000 and 2001 of Figure 20).

An embodiment of the invention, as recited in claim 36, provides a method of providing a mail item for posting with a mail delivery service. The method comprising printing a piece of correspondence using a computer system, the piece of correspondence comprising a document generated by the computer system and a postage indicia generated by the computer system (page 9, paragraph 0050, lines 1-3, page 9, paragraph 0053, lines 1-5, page 10, paragraph 0053, lines 6-7, page 11, paragraph 0064, lines 1-4, element 1800 of Figure 18, element 1900 of Figure 19, and element 2100 of Figure 21). The method further comprising inserting the piece of correspondence into an envelope so that the postage indicia is disposed in juxtaposition with a transparent window of the envelope (page 12, paragraph 0067, lines 4-6, page 12, paragraph 0068, lines 1-5, page 13, paragraph 0073, lines 2-5).

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Whether claims 1, 4-16, 19-25, and 27-36 are properly rejected under 35 U.S.C. § 103(a) over Sansone et al. in view of Schuessler.

## **VII. ARGUMENT**

Claims 1, 4-16, 19-25, and 27-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sansone et al., United States patent number 4,831,555 (hereinafter *Sansone*), in view of Schuessler, United States patent number 2,964,232 (hereinafter *Schuessler*). Appellant respectfully traverses the rejections of record.

To establish a *prima facie* case of obviousness, three basic criteria must be met, see M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Appellant respectfully asserts that the rejections of record fail to establish that the foregoing criteria has been met.

**A. The 35 U.S.C. § 103 Rejections Over Sansone In View of Schuessler**

**1. Claims 1, 6-9, and 11-15**

Claim 1 recites “software for generating said postal item . . . .” The Appellee cites *Sansone* column 2, lines 1-23, column 3, lines 1-12, column 4, lines 10-15 and column 4, lines 30-55 as teaching this limitation, final Office Action at page 2. The cited lines discuss generating postage and printing the postage on a postage item such as an envelope or an insert, however *Sansone* does not teach software generating the postal item itself. As a result, *Sansone* does not disclose “software for generating said postal item . . . .”

Moreover, claim 1 recites “software for generating said postal item and said postage indicia and for printing said postage indicia on said postal item.” The Appellee cites the above identified portion of *Sansone* as teaching this limitation, final Office Action at page 2. However, nowhere in *Sansone* is it taught that software for generating postage also prints the postage. The identified portion of *Sansone* does not disclose software for generating postage indicia nor any software for generating a postal item, and thus cannot be read to disclose software for generating a postal item and postage indicia. Moreover, the express language of claim 1 requires that the software is not only for generating the postal item and postage indicia but also for printing the postage indicia on the postal item. The disclosure of *Sansone* is insufficient to meet the claim language because all the claim limitations must be taught or suggested by the art, see *In re Royka*, 180 U.S.P.Q. 580 (CCPA 1974).

As shown above, *Sansone* does not teach or suggest elements of the claim and the disclosure of *Schuessler* has not been relied upon by the Appellee to cure these deficiencies. Accordingly, the 35 U.S.C. § 103 rejection of record fails to establish a *prima facie* case of

obviousness with respect to claim 1. Therefore, Appellant respectfully requests that the rejection of record be withdrawn.

Claims 4-15 depend directly or indirectly from claim 1, and thus inherit the limitations thereof. As the rejections of these dependent claims do not cure the above identified deficiencies, Appellant respectfully asserts that a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to dependent claims 4-15 at least for the reasons set forth above with respect to claim 1.

## **2. Claim 4**

Claim 4 recites that “said postage indicia includes a machine readable portion.” *Sansone*, however, teaches a Postal Service representative reading and inputting a number, column 4, lines 41-42. Accordingly, *Sansone* fails to disclose a postage indicia having a machine readable portion.

The Appellee baldly asserts that “virtually everything is technically machine readable,” final Office Action at page 6. However, there is nothing in the disclosure of *Sansone* or *Schuessler* to teach a postage indicia including a machine readable portion, nor has the Appellee shown otherwise. Contrariwise, the Appellee “points Applicant to reference portions which teach machine readable; ie; column 3, 1-12 ‘bar code’,” final Office Action at page 6. However, the foregoing further supports Appellant’s position. That is, *Sansone* was aware of machine readable printing technology (e.g., the referenced bar code), and yet provides no disclosure of its use with respect to the postage indicia disclosed therein. Clearly, the applied art is insufficient to establish *prima facie* obviousness under 35 U.S.C. § 103 with respect to claim 4.

## **3. Claim 5**

Claim 5 recites that “said machine readable portion comprises a two dimensional bar code.” The final Office Action fails to address this limitation. Moreover, Appellant’s review of *Sansone* and *Schuessler* has not revealed a postage indicia including a two dimensional bar code. Accordingly, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to claim 5.

#### 4. Claim 10

Claim 10 recites that “said predetermined position comprises an upper right hand corner of said front surface when said front surface is properly oriented to read information of said postage indicia.” The Appellee concedes that *Sansone* does not teach an envelope meeting the claim, and thus relies upon the disclosure of *Schuessler* to teach an envelope having 3 windows, including a window for a postmark, final Office Action at page 3. However, the proffered combination of *Sansone* and *Schuessler* would not meet the claim. For example, *Sansone* teaches printing the encrypted message providing the postage indicia with the addressee information, see column 4, lines 14-30. Accordingly, even assuming one of ordinary skill in the art would use an envelope of *Schuessler* with a mail piece of *Sansone*, the encrypted message would not be positioned in the upper right hand corner as required by claim 10. Accordingly, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to claim 10.

#### 5. Claims 16 and 21-24

Claim 16 recites “generating a piece of correspondence using a computer system [and] printing . . . said piece of correspondence using said computer system . . . .” The Appellee cites *Sansone* column 2, lines 1-23, column 3, lines 1-12, column 4, lines 10-15 and column 4, lines 30-55 as teaching this limitation, final Office Action at page 2. However, *Sansone* fails to teach or suggest a computer system generating a piece of correspondence. Moreover, the identified portion of *Sansone* fails to teach a computer system printing a piece of correspondence, or that the correspondence is printed at all. Accordingly, *Sansone* does not teach “generating a piece of correspondence using a computer system [and] printing . . . said piece of correspondence using said computer system . . . .”

Furthermore, claim 16 recites “printing said postage indicia and said piece of correspondence using said computer system, wherein said postage indicia is printed simultaneously with printing said piece of correspondence . . . .” The Appellee again relies upon the above identified portion of *Sansone* to meet these limitations, final Office Action at page 2. However, *Sansone* fails to teach a computer system printing both a postage indicia and a piece of correspondence.



Moreover, *Sansone* is completely devoid of any disclosure with respect to simultaneously printing a piece of correspondence and postage indicia. The Appellee appears to recognize this deficiency in the disclosure of *Sansone*, stating that “*Sansone* arguably does not discuss the ‘simultaneous printing’ of indicia and correspondence as claimed,” final Office Action at page 2. However, the Appellee concludes that “it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the teachings to *Sansone* to generate said postage on ones personal computer, copy and paste into document and then press print which would simultaneously produce completed correspondence,” final Office Action at pages 4 and 5. Appellant disagrees. As explained, *Sansone* does not teach generating correspondence, therefore it would not be obvious to paste postage into a correspondence. Furthermore, *Sansone*’s meter unit generates the postage and *Sansone* does not teach nor make it obvious how a user would copy postage from this meter unit and paste it into a document generated on a personal computer. The Appellee uses the example of copying a jpeg and pasting it into a letter, final Office Action at page 5. However, *Sansone* makes no indication that the postage shares any similarities with a jpeg at all. Indeed, *Sansone* does not teach the user computer provides access to or even displays the postage prior to printing. Therefore, it would not be obvious to copy and paste *Sansone*’s postage in the manner a jpeg or any other file is copied and pasted. Accordingly, Appellant respectfully asserts it would not be obvious from *Sansone*’s teachings that postage could be copied and pasted into a document and then printed.

The Appellee proffers the “desirability to do this is clearly to save a customer the time of printing a document once and then printing up postage again” as motivation for the foregoing modifications to *Sansone*, final Office Action at page 5. However, the reason provided by the Appellee—i.e., “to save time,” is a general incentive, and not an objective reason to combine the teachings of the art. Appellant points out that “[a] general incentive does not make obvious a particular result, nor does the existence of techniques by which those efforts can be carried out,” *In re Deuel*, 51 F.3d 1552, 1559 (Fed. Cir. 1995). Therefore, the motivation provided by the Appellee is insufficient to establish *prima facie* obviousness under 35 U.S.C. § 103.

Additionally, *Sansone* would require substantial unsuggested modification in order to meet the claim. For example, the system of *Sansone* would require modification to include

printing of the postal item. Furthermore, the system of *Sansone* would require modification to include the ability to store the encrypted message provided by the encrypting module to the computer system, to allow the user to select this encrypted message, and to allow the user to add the encrypted message to a postal item to be printed by the computer system. There is simply nothing in the art of record to have taught or suggested such modifications to one of ordinary skill in the art at the time of the invention. Accordingly, the 35 U.S.C. § 103 rejection of record is improper.

As shown above, *Sansone* does not teach or suggest elements of the claim and the disclosure of *Schuessler* has not been relied upon by the Appellee to cure these deficiencies. Accordingly, the 35 U.S.C. § 103 rejection of record fails to establish a *prima facie* case of obviousness with respect to claim 16. Therefore, Appellant respectfully requests that the rejection of record be withdrawn.

Claims 19-24 depend directly or indirectly from claim 16, and thus inherit the limitations thereof. As the rejections of these dependent claims do not cure the above identified deficiencies, Appellant respectfully asserts that a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to dependent claims 19-24 at least for the reasons set forth above with respect to claim 16.

## **6. Claim 19**

Claim 19 recites that “said postage indicia includes a machine readable portion.” *Sansone*, however, teaches a Postal Service representative reading and inputting a number, column 4, lines 41-42. Accordingly, *Sansone* fails to disclose a postage indicia having a machine readable portion.

The Appellee baldly asserts that “virtually everything is technically machine readable,” final Office Action at page 6. However, there is nothing in the disclosure of *Sansone* or *Schuessler* to teach a postage indicia including a machine readable portion, nor has the Appellee shown otherwise. Contrariwise, the Appellee “points Applicant to reference portions which teach machine readable; ie; column 3, 1-12 ‘bar code’,” final Office Action at page 6. However, the foregoing further supports Appellant’s position. That is, *Sansone* was aware of machine readable printing technology (e.g., the referenced bar code), and yet

provides no disclosure of its use with respect to the postage indicia disclosed therein.

Clearly, the applied art is insufficient to establish *prima facie* obviousness under 35 U.S.C. § 103 with respect to claim 19.

#### **7. Claim 20**

Claim 20 recites that “said machine readable portion comprises a two dimensional bar code.” The final Office Action fails to address this limitation. Moreover, Appellant’s review of *Sansone* and *Schuessler* has not revealed a postage indicia including a two dimensional bar code. Accordingly, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to claim 20.

#### **8. Claims 25 and 31-35**

Claim 25 recites a “piece of correspondence and the postage indicia thereon are printed by a computer system operable under control of software for generating documents and postage indicia . . . .” The Appellee cites *Sansone* column 4, lines 10-15 as teaching this limitation, final Office Action at page 3. However, *Sansone* fails to teach a computer system printing a piece of correspondence and the postage indicia thereon. Accordingly, *Sansone* is silent with respect to software for generating documents and postage indicia. *Sansone* discusses printing postage directly upon a mail piece, column 4, lines 10-15. However, as explained with regard to claim 16, *Sansone* fails to disclose a computer system printing the mail piece or software for generating documents and postage indicia. Accordingly, *Sansone* does not teach a “piece of correspondence and the postage indicia thereon are printed by a computer system operable under control of software for generating documents and postage indicia . . . .”

As shown above, *Sansone* does not teach or suggest elements of the claim and the disclosure of *Schuessler* has not been relied upon by the Appellee to cure these deficiencies. Accordingly, the 35 U.S.C. § 103 rejection of record fails to establish a *prima facie* case of obviousness with respect to claim 25. Therefore, Appellant respectfully requests that the rejection of record be withdrawn.

Claims 27-35 depend directly or indirectly from claim 25, and thus inherit the limitations thereof. As the rejections of these dependent claims do not cure the above identified deficiencies, Appellant respectfully asserts that a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to dependent claims 27-35 at least for the reasons set forth above with respect to claim 25.

**9. Claim 27**

Claim 27 recites a second window portion, such that when the postage indicia is in juxtaposition with the first window, second information is in juxtaposition with the second window. The Appellee concedes that *Sansone* does not teach an envelope meeting the claim, and thus relies upon the disclosure of *Schuessler* to teach an envelope having 3 windows, including a window for a postmark, final Office Action at page 3. However, the proffered combination of *Sansone* and *Schuessler* would not meet the claim. For example, *Sansone* teaches printing the encrypted message providing the postage indicia with the addressee information, see column 4, lines 14-30. Accordingly, even assuming one of ordinary skill in the art would use an envelope of *Schuessler* with a mail piece of *Sansone*, there is nothing in *Sansone* to teach or suggest second information that would be in juxtaposition with a second window as required by claim 27. Accordingly, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to claim 27.

**10. Claim 28**

Claim 28, further limiting claim 27, recites that “said second information comprises at least one of an addressor’s address and an addressee’s address.” As discussed above with respect to claim 27, there is nothing in *Sansone* to teach or suggest second information which would be in juxtaposition with a second window. Likewise, there is nothing to teach or suggest either addressor or addressee information separate from the encrypted message used as postage indicia which would be in juxtaposition with the second window. Accordingly, *prima facie* obviousness has not been established with respect to claim 28.

**11. Claim 29**

Claim 29, further limiting claim 27, recites a third window, such that when the postage indicia is in juxtaposition with the first window, second information is in

juxtaposition with the second window and third information is in juxtaposition with the third window. The proffered combination of *Sansone* and *Schuessler* would not meet the claim because *Sansone* teaches printing the encrypted message providing the postage indicia with the addressee information, see column 4, lines 14-30, and thus does not disclose second and third information for placing in juxtaposition with second and third windows. Accordingly, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to claim 29.

## 12. Claim 30

Claim 30, further limiting claim 29, recites that “said second information comprises an addressor’s address and said third information comprises an addressee’s address.” As discussed above with respect to claim 29, there is nothing in *Sansone* to teach or suggest second information and third information which would be in juxtaposition with a second window and third window. Likewise, there is nothing to teach or suggest addressor information in juxtaposition with a second window and addressee information in juxtaposition with a third window when the postage indicia is in juxtaposition with a first window. Contrary to the claim limitation, *Sansone* teaches that the encrypted message used as postage indicia is contiguous with the addressee information, see column 4, lines 14-20, and Figure 2. Accordingly, *prima facie* obviousness has not been established with respect to claim 30.

## 13. Claim 36

Claim 36 recites “printing a piece of correspondence using a computer system . . . .” The Appellee cites *Sansone* column 2, lines 1-23, column 3, lines 1-12, column 4, lines 10-15 and column 4, lines 30-55 as teaching this limitation, final Office Action at page 3. However, as explained with regard to claim 16, *Sansone* fails to disclose printing a piece of correspondence whatsoever, much less a computer system printing the piece of correspondence. Accordingly, *Sansone* does not teach this limitation of claim 36.

Moreover, claim 36 recites “said piece of correspondence comprising a document generated by said computer system and a postage indicia generated by said computer system . . . .” The Appellee cites *Sansone* column 2, lines 1-23, column 3, lines 1-12, column 4, lines

10-15 and column 4, lines 30-55 as teaching this limitation, final Office Action at page 3. However, *Sansone* fails to disclose a computer system generating a piece of correspondence and a postage indicia. Accordingly, Appellant respectfully asserts that the disclosure of *Sansone* is insufficient to meet the claim limitation reciting the “piece of correspondence comprising a document generated by said computer system and a postage indicia generated by said computer system . . . .”

As shown above, *Sansone* does not teach or suggest elements of the claim and the disclosure of *Schuessler* has not been relied upon by the Appellee to cure these deficiencies. Accordingly, the 35 U.S.C. § 103 rejection of record fails to establish a *prima facie* case of obviousness with respect to claim 36. Therefore, Appellant respectfully requests that the rejection of record be withdrawn.

#### **VIII. CLAIMS**

A copy of the claims involved in the present appeal is attached hereto as Appendix A. The claims in Appendix A do include the amendments filed by Appellant on April 28, 2006. As stated above, no amendments to the claims have been made in response to the final Office Action.

#### **IX. EVIDENCE**

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the Appellee is being submitted. Accordingly, Appendix B herein does not include any evidence.

**X. RELATED PROCEEDINGS**

No related proceedings are referenced in II. above, or copies of decisions in related proceedings are not provided. Accordingly, Appendix C herein does not include any information with respect to related proceedings.

Dated: December 18, 2006

Respectfully submitted,

By R. Ross Viguet  
R. Ross Viguet  
Registration No.: 42,203  
FULBRIGHT & JAWORSKI L.L.P.  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201-2784  
(214) 855-8185  
(214) 855-8200 (Fax)  
Attorney for Appellant

**APPENDIX A**

**Claims Involved in the Appeal of Application Serial No. 10/082,398**

1. A system comprising:  
an envelope having:  
a front surface; and  
a first window providing a covered opening in said front surface, wherein said first window is disposed in a predetermined position of said front surface to facilitate placing postage indicia in juxtaposition therewith to thereby allow viewing of said postage indicia through said first window;  
a postal item having a postage indicia affixed thereto, wherein said postage indicia is visible through said first window when said postal item is disposed in said envelope; and  
software for generating said postal item and said postage indicia and for printing said postage indicia on said postal item.
4. The system of claim 1, wherein said postage indicia includes a machine readable portion.
5. The system of claim 4, wherein said machine readable portion comprises a two dimensional bar code.
6. The system of claim 1, wherein said covered opening comprises a transparent covering material.
7. The system of claim 6, wherein said transparent covering material comprises glassine.
8. The system of claim 6, wherein said transparent covering material protects said postage indicia from inadvertent detachment.
9. The system of claim 6, wherein said transparent covering material protects said postage indicia from adverse conditions.



10. The system of claim 1, wherein said predetermined position comprises an upper right hand corner of said front surface when said front surface is properly oriented to read information of said postage indicia.

11. The system of claim 1, further comprising:  
a second window disposed in a predetermined position of said front surface to facilitate placing addressee information in juxtaposition therewith to thereby allow viewing of said addressee information through a second window.

12. The system of claim 11, wherein said postage indicia and said addressee information is affixed to said postal item inserted into said envelope.

13. The system of claim 11, further comprising:  
a third window disposed in a predetermined position of said front surface to facilitate placing sender information in juxtaposition therewith to thereby allow viewing of said sender information through said third window.

14. The system of claim 13, wherein said postage indicia and said sender information is affixed to said postal item inserted into said envelope.

15. The system of claim 13, wherein said third window predetermined position comprises an upper left hand corner of said front surface when said front surface is properly oriented to read information of said postage indicia.

16. A method of providing a mail item for posting with a mail delivery service, said method comprising:

generating a piece of correspondence using a computer system;  
generating a postage indicia using said computer system;  
printing said postage indicia and said piece of correspondence using said computer system, wherein said postage indicia is printed simultaneously with printing said piece of correspondence; and  
inserting said piece of correspondence into an envelope such that said postage indicia is disposed in juxtaposition with a window of said envelope providing a corresponding opening.

19. The method of claim 16, wherein said postage indicia includes a machine readable portion.

20. The method of claim 19, wherein said machine readable portion comprises a two dimensional bar code.

21. The method of claim 16, wherein said covered opening comprises a transparent covering material.

22. The method of claim 21, wherein said transparent covering material comprises glassine.

23. The method of claim 21, wherein said transparent covering material protects said postage indicia from inadvertent detachment.

24. The method of claim 21, wherein said transparent covering material protects said postage indicia from adverse conditions.

25. A mail item comprising:  
a piece of correspondence having a postage indicia thereon, wherein said piece of correspondence and the postage indicia thereon are printed by a computer system operable under control of software for generating documents and postage indicia;

an envelope having at least a first window portion and incarcerating said piece of correspondence, wherein said piece of correspondence is disposed in a predetermined orientation to place said postage indicia in juxtaposition with said first covered window to thereby allow viewing of said postage indicia when said piece of correspondence is incarcerated in said envelope.

27. The mail item of claim 25, wherein said envelope has a second window portion, wherein said piece of correspondence is disposed in said predetermined orientation to place second information in juxtaposition with said second window when said postage indicia is in juxtaposition with said first covered window to thereby allow viewing of said second information when said piece of correspondence is incarcerated in said envelope.

28. The mail item of claim 27, wherein said second information comprises at least one of an addressor's address and an addressee's address.

29. The mail item of claim 27, wherein said envelope has a third window portion, wherein said piece of correspondence is disposed in said predetermined orientation to place third information in juxtaposition with said third window when said postage indicia is in juxtaposition with said first covered window to thereby allow viewing of said third information when said piece of correspondence is incarcerated in said envelope.

30. The mail item of claim 29, wherein said second information comprises an addressor's address and said third information comprises an addressee's address.

31. The mail item of claim 25, wherein said covered window portion comprises a transparent covering material.

32. The mail item of claim 31, wherein said transparent covering material comprises glassine.

33. The mail item of claim 31, wherein said transparent covering material protects said postage indicia from inadvertent detachment.

34. (Original) The mail item of claim 31, wherein said transparent covering material protects said postage indicia from adverse conditions.

35. The mail item of claim 25, wherein said first covered window portion is disposed in a face of said envelope in an upper right hand corner of said envelope face when said envelope is properly oriented to read information of said postage indicia.

36. A method of providing a mail item for posting with a mail delivery service, said method comprising:

printing a piece of correspondence using a computer system, said piece of correspondence comprising a document generated by said computer system and a postage indicia generated by said computer system; and

inserting said piece of correspondence into an envelope such that said postage indicia is disposed in juxtaposition with a transparent window of said envelope.

**APPENDIX B**

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the Appellee is being submitted.

**APPENDIX C**

No related proceedings are referenced in II. above, hence copies of decisions in related proceedings are not provided.